

CITY OF SAN DIEGO COUNCIL DOCKET



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**Andrea Tevlin
Independent
Budget Analyst**

**Jan Goldsmith
City Attorney**

**Liz Maland
City Clerk**

Council Chambers, 12th Floor, City Administration Building
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Monday, March 14, 2016

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
MONDAY, MARCH 14, 2016, AT 2:00 PM
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

This information will be made available in alternative formats upon request, as required by the Americans with Disabilities Act (ADA), by contacting the City Clerk at (619) 533-4000 or <mailto:cityclerk@sanidiego.gov>. Requests for disability-related modifications or accommodations required to facilitate meeting participation, including requests for auxiliary aids, services or interpreters, require different lead times. Please keep this in mind and provide as much advance notice as possible in order to ensure availability. Assistive Listening Devices (ALDs) are available in Council Chambers upon request.

Pursuant to California Senate Bill 343 (Section 54957.5(b) of the Brown Act), late-arriving documents related to City Council meeting agenda items which are distributed to the legislative body prior to and during the Council meeting are available for public review in the Office of the City Clerk on the second floor of the City Administration Building, 202 C Street, San Diego, CA 92101. This relates to those documents received after the agenda is publicly noticed and during the 72 hours prior to the start of the meeting. Please note: Approximately one hour prior to the start of the Council Meeting, the documents will be available just outside Council Chambers in the lobby of the 12th floor of the City Administration Building in a binder labeled “SB 343.” Late-arriving materials received during the City Council meeting are available for review by making a verbal request of City Clerk staff located in Council Chambers.

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

MAYOR, COUNCIL, INDEPENDENT BUDGET ANALYST, CITY ATTORNEY, CITY CLERK COMMENT

UPDATES ON PENDING LEGISLATION (MAYOR'S OFFICE)

REQUESTS FOR CONTINUANCE

The Council will consider requests for continuance based on when the item was noticed to be heard.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

ITEM-200: Presentation of the City of San Diego's June 30, 2015, Actuarial Valuation by Cheiron, the actuarial consultant for the San Diego City Employees' Retirement System (SDCERS).

COUNCIL PRESIDENT LIGHTNER'S RECOMMENDATION:

This is an informational item only, no action required by the Council.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: N/A

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Juardo-Sainz

Primary Contact\Phone: Mark Hovey\619- 525-3620

ADOPTION AGENDA, DISCUSSION, HEARINGS**NOTICED HEARINGS:**

ITEM-201: 10th Update to the Land Development Code and Local Coastal Program.
(Citywide.)

ITEM DESCRIPTION:

The 10th Update is a package of Amendments to the Land Development Code. There are 38 Amendments; the bulk of which is regulatory reform. Significant items include modification of the utilization requirement for capital improvement program projects, clarification of the site survey requirement for development over 45 years old, amendments to facilitate shared parking, and streamlining for development of schools, home occupations, and boarding kennels. The Amendments comply with new federal and state standards and the City's Climate Action Plan. Issues No.1, No. 9, and No. 17 have been withdrawn from the initial package of 41 items.

STAFF'S RECOMMENDATION:

Introduce the following ordinance:

(O-2016-93)

Introduction of an Ordinance amending Chapter 11, Article 2, Division 3 of the San Diego Municipal Code by amending Sections 112.0301 and 112.0302; amending Chapter 11, Article 2, Division 5 by amending Sections 112.0505 and 112.0507; amending Chapter 11, Article 3, Division 1 by amending Section 113.0103; amending Chapter 11, Article 3, Division 2 by amending Sections 113.0225, 113.0234, and 113.0273; amending Chapter 12, Article 1, Division 3 by amending Sections 121.0314 and 121.0315; amending Chapter 12, Article 6, Division 1 by amending Section 126.0108; amending Chapter 12, Article 6, Division 3 by amending Section 126.0303; amending Chapter 12, Article 6, Division 4 by amending Section 126.0402; amending Chapter 12, Article 6, Division 7 by amending Section 126.0707; amending Chapter 12, Article 9, Division 2 by amending Section 129.0203; amending Chapter 12, Article 9, Division 3 by amending Section 129.0308; amending Chapter 12, Article 9, Division 7 by amending Section 129.0710; Amending Chapter 13, Article 1, Division 2 by amending Sections 131.0222 and 131.0231; amending Chapter 13, Article 1, Division 3 by amending Sections 131.0322 and 131.0331; amending Chapter 13, Article 1, Division 4 by amending Sections 131.0422 and 131.0431; amending Chapter 13, Article 1, Division 5 by amending Sections 131.0522 And 131.0531; amending Chapter 13, Article 1, Division 6 by amending Sections 131.0601, 131.0622, and 131.0631; amending Chapter 14, Article 1, Division 3 by amending Section 141.0308 and repealing Section 141.0310; amending Chapter 14, Article 1, Division 4 By amending Section 141.0407 and by adding new Section 141.0419; amending Chapter 14, Article 1, Division 6 by amending Sections 141.0604 and 141.0607; amending Chapter 14, Article 2, Division 4 by amending

Sections 142.0402, 142.0404, and 142.0413; amending Chapter 14, Article 2, Division 5 by amending Sections 142.0505, 142.0520, 142.0525, 142.0527, 142.0530, 142.0545, and 142.0560; amending Chapter 14, Article 2, Division 13 by amending Section 142.1305; amending Chapter 14, Article 3, Division 1 by amending Sections 143.0112 and 143.0146; amending Chapter 14, Article 3, Division 2 by amending Section 143.0212; amending Chapter 14, Article 3, Division 3 by amending Sections 143.0302 and 143.0365; amending Chapter 14, Article 3, Division 4 by amending Sections 143.0402 and 143.0410 and by adding new Section 143.0455; amending Chapter 14, Article 3, Division 9 by amending Section 143.0915; amending Chapter 14, Article 4, Division 1 by amending Section 144.0130; amending Chapter 15, Article 1, Division 1 by amending Section 151.0103; amending Chapter 15, Article 2, Division 1 by amending Section 152.0104; amending Chapter 15, Article 2, Division 3 by amending Sections 152.0303 and 152.0309; amending Chapter 15, Article 5, Division 2 by amending Sections 155.0238 and 155.0253; amending Chapter 15, Article 6, Division 3 by amending Section 156.0308; amending Chapter 15, Article 8, Division 3 by amending Section 158.0301; amending Chapter 15, Article 12, Division 3 by amending Section 1512.0302; amending Chapter 15, Article 14, Division 3 by amending Sections 1514.0304 and 1514.0305; amending Chapter 15, Article 18 Appendix A, all relating to the 10th Update to the Land Development Code and related provisions.

STAFF SUPPORTING INFORMATION:**FISCAL CONSIDERATIONS:**

Costs associated with implementation of the proposed amendments will be covered by project applicants.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

On February 10, 2016, the Smart Growth and Land Use Council Committee voted 4-0 to recommend approval.

Vacchi/Graham/al

Primary Contact\Phone: Amanda Lee\619-446-5367, MS 501

Secondary Contact\Phone: Dan Normandin\619-446-5388, MS 501

City Attorney Contact: Neuffer, Corrine

NON-AGENDA PUBLIC COMMENT

This portion of the agenda provides an opportunity for members of the public to address the Council on items of interest within the jurisdiction of the Council. (Comments relating to items on today's docket are to be taken at the time the item is heard.)

Per Section 22.0101, Rule 2.6.2, of the San Diego Municipal Code, comments are limited to two minutes per speaker. Speakers may not allocate their time to other speakers. If there are eight (8) or more speakers on a single issue, the maximum time allotted for that issue will be sixteen (16) minutes. Non-Agenda Comment is taken toward the end of the Monday afternoon Council session.

PUBLIC NOTICES:

Items are listed under Public Notice as a matter of public record only. These items do not require Council action and there is no public testimony.

ITEM-250: Submission of Ballot Proposals for the June 7, 2016 Ballot.

**SUBMISSION OF BALLOT PROPOSALS
FOR THE JUNE 7, 2016 BALLOT**

City Council Policy 000-21 establishes the procedure for submittal of ballot proposals. The Council Policy states that members of the public shall submit proposals to the City Clerk, who shall then transmit them promptly to Committee for review and comment. The proposals must be submitted in time to allow the City Clerk to list on the Council Docket, prior to the election, the ballot proposals which have been referred to Council following Committee review.

Therefore, the City Clerk has established the following administrative guidelines for the June 7, 2016, election.

<u>DAY</u>	<u>DATE</u>	<u>DAYS BEFORE ELECTION</u>	<u>EVENT</u>
Tuesday	1/5/16	154	LAST DATE (5:00 p.m.) for public, departments and agencies to submit ballot proposals to City Clerk for review by Committee
Wednesday	1/13/16	146	Committee review
Monday	1/25/16	134	Council Docket (PUBLIC NOTICE) lists proposals referred by Committee
Monday	2/1/16	127	Council to discuss propositions and direct City Attorney to prepare ordinances placing measures on the ballot
Monday	2/22/16	106	Council adopts ordinances prepared by City Attorney
Friday	3/11/16	88	Last day for City Clerk to file with Registrar of Voters all elections material
Thursday	3/24/16	75	Last day to file ballot arguments with City Clerk

If you have questions, please contact the Office of the City Clerk at (619) 533-4000.

ITEM-251: Public Examination of Election Materials.

February 1, 2016

Pursuant to San Diego Municipal Code Section 27.0403, candidate statements, the propositions and related ballot materials for said candidate races and propositions, to be submitted to the voters within the City of San Diego at the election of June 7, 2016, will be available for public examination for ten (10) calendar days prior to being submitted for printing in the sample ballot. During the examination period, any voter registered in the City may seek a writ of mandate or an injunction requiring any or all of the ballot or sample ballot materials be amended or deleted. Please note the following examination periods:

<u>Document</u>	<u>Start date</u>	<u>End date</u>
Candidate Statements of Qualification and Designations of Principal Profession or Occupation	March 11, 2016	March 21, 2016
Ordinances calling election and Ordinances placing measures on the ballot	March 14, 2016	March 24, 2016
City Attorney's impartial analysis, ballot title and summary, and Mayor/IBA/City Auditor's fiscal analysis	March 22, 2016	April 1, 2016
Ballot arguments	March 25, 2016	April 4, 2016

For additional information regarding this matter, please contact the Office of the City Clerk at (619) 533-4000.

ITEM-252: Arguments Supporting or Opposing Propositions.

For propositions approved by the Council for submittal to the qualified voters of the City of San Diego at the Municipal Primary Election to be held on Tuesday, June 7, 2016, the City Clerk has fixed 5:00 p.m. on Thursday, March 24, 2016, as a reasonable date prior to such election after which no arguments for or against City Propositions may be submitted to the Clerk.

Any argument for or against any City proposition shall not exceed 300 words in length and may be filed by the Council, or any member or members of the Council authorized by the Council, or the bona fide sponsors or proponents of the measure, or any bona fide association of citizens or individual voter, or any combination of voters and associations.

All arguments must be accompanied by a statement signed by each author that the argument is true and correct to the best of his/her knowledge and belief. (Forms for this statement are available in the Office of the City Clerk or at <http://www.sandiego.gov/city-clerk/forms/pdf/argumentsigform.pdf>.)

[San Diego Municipal Code Section 27.0512](#) provides the priority for selection if more than one argument is submitted for, or against, any measure.

An argument shall not be accepted unless accompanied by the name or names of the person or persons submitting it, or if submitted on behalf of an organization, the name of the organization and the name of at least one of its principal officers. No more than five signatures shall appear with any argument submitted. In case any argument is signed by more than five persons, the signatures of the first five shall be printed.

Arguments may be changed or withdrawn by their proponents until and including the date fixed by the City Clerk.

Arguments shall be submitted to the City Clerk at the Office of the City Clerk, 2nd Floor, City Administration Building, 202 "C" Street, San Diego, California, 92101.

ITEM-253: **Notice** of Pending Final Map Approval - Santa Barbara Place.

Notice is hereby given that the City Land Surveyor has reviewed and will approve on the date of this City Council meeting that certain Final Map entitled "715 Santa Barbara Place" (Planning Commission No. 4248-PC and T.M. 349427/PTS No. 105096) located at 713 Santa Barbara Place, at the southeast corner of Santa Barbara Place and Strandway, legally described as Lot H and I in Block 108 of Mission Beach, according to Map thereof no. 1651, dated December 14, 1914, in the RS Zone of the Mission Beach Planned District, within the Mission Beach Community Planned area, a copy of which is available for public viewing at the office of the San Diego City Clerk. Specifically, the City Engineer has caused the map to be examined and has made the following findings:

- (1) The map substantially conforms to the approved tentative map, and any approved alterations thereof and any conditions of approval imposed with said tentative map.
- (2) The map complies with the provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval of the tentative map.
- (3) The map is technically correct.

Said map will be finalized and recorded unless a valid appeal is filed. Interested parties will have 10 calendar days from the date of this Council hearing to appeal the above findings of the City Engineer to the City Council. A valid appeal must be filed with the City Clerk no later than 2:00 PM, 10 calendar days from the date of this City Council meeting stating briefly which of the above findings made by the City Engineer was improper or incorrect and the basis for that conclusion. If you have questions about the map approval findings or need additional information about the map or your appeal rights, please feel free to contact Fred LePage (619) 446-5434.

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT